

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No.: 3:11-CR-61-TAV-CCS
)
)
RALPH VANOVER,)
)
Defendant.)

ORDER

This criminal matter is before the Court for consideration of the Report and Recommendation entered by United States Magistrate H. Bruce Guyton (“R&R”) [Doc. 123]. The R&R addresses the defendant’s Motion for Return of Seized Property [Doc. 84]. In the R&R, Judge Guyton recommends granting the motion insofar as the government be ordered to return the defendant’s surveillance equipment and pocket knives, and denying the motion in all other respects. The defendant filed a response to the R&R [Doc. 124], asking that the items be returned to his designated representative, Ronnie Vanover. As this response did not contain any objections to the R&R, there have been no timely objections and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); Fed. R. Crim. P. 51.

After a careful review of the R&R and the record in this case, the Court is in agreement with Magistrate Judge Guyton’s analysis and recommendations, which the Court adopts and incorporates into its ruling. Therefore, the Court will **ACCEPT IN**

WHOLE the R&R [Doc. 123]. The defendant's Motion for Return of Seized Property [Doc. 84] is hereby **GRANTED in part and DENIED in part**, and the government is **ORDERED** to return the defendant's surveillance equipment and pocket knives to Ronnie Vanover, P.O. Box 731, Harrogate, TN 37752, within **thirty (30) days** of the entry of this order.

IT IS SO ORDERED.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE